

106TH CONGRESS
1ST SESSION

H. R. 1185

To modify the requirements for paying Federal timber sale receipts.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1999

Mr. DEFAZIO introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modify the requirements for paying Federal timber sale receipts.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Timber-Dependent
5 Counties Stabilization Act of 1999”.

6 **SEC. 2. SHARING OF FOREST SERVICE TIMBER SALE RE-** 7 **CEIPTS.**

8 (a) PAYMENTS.—

1 (1) FISCAL YEARS 2000 THROUGH 2004.—In lieu
2 of making the 25-percent payments to States for
3 each of fiscal years 2000 through 2004, the Sec-
4 retary of the Treasury shall pay to each State that
5 is otherwise eligible to receive those payments the
6 special payment amount determined for that State.

7 (2) FISCAL YEARS AFTER FISCAL YEAR 2004.—

8 (A) IN GENERAL.—For each fiscal year
9 after fiscal year 2004, the Secretary of the
10 Treasury shall pay to each State that is other-
11 wise eligible for the 25-percent payments to
12 States, as elected by the State, either—

13 (i) the special payment amount deter-
14 mined for that State, in lieu of the 25-per-
15 cent payments to States otherwise applica-
16 ble for that State; or

17 (ii) the 25-percent payments to States
18 applicable for that State.

19 (B) ELECTION.—The election under sub-
20 paragraph (A) shall be made by the Governor
21 of a State only once, for all fiscal years after
22 fiscal year 2004, by not later than 5 years after
23 the date of the enactment of this Act. If the
24 Governor of a State fails to make the election
25 by that date, the State is deemed to have elect-

1 ed the payment described in subparagraph
2 (A)(i) for all fiscal years after fiscal year 2004.

3 (3) EXPENDITURE BY STATES.—Amounts paid
4 to a State under this subsection shall be expended
5 by the State in the same manner in which 25-per-
6 cent payments to States are required to be ex-
7 pended.

8 (b) DEFINITIONS.—As used in this section:

9 (1) 25-PERCENT PAYMENTS TO STATES.—The
10 term “25-percent payments to States” means the
11 25-percent payments authorized by the Act of May
12 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C.
13 500) for the benefit of counties in which national
14 forests are situated, as in effect immediately before
15 the date of the enactment of this section.

16 (2) SPECIAL PAYMENT AMOUNT.—The term
17 “special payment amount” means, for a State, the
18 amount equal to—

19 (A) 76 percent, multiplied by

20 (B) the amount equal to—

21 (i) the total amount of 25-per-
22 cent payments to States made to the
23 State for the 3 fiscal years (whether
24 or not consecutive) for which those
25 payments were the highest in the pe-

1 riod beginning October 1, 1985, and
2 ending September 30, 1995, divided
3 by

4 (ii) 3.

5 The amount described in this paragraph shall be ad-
6 justed to reflect changes in the consumer price index
7 for urban areas (as published by the Bureau of
8 Labor Statistics) that occur after publication of that
9 index for fiscal year 2004.

10 **SEC. 3. SHARING OF BUREAU OF LAND MANAGEMENT TIM-**
11 **BER SALE RECEIPTS.**

12 (a) PAYMENTS.—

13 (1) FISCAL YEARS 2000 THROUGH 2004.—In lieu
14 of making the 50-percent payments to counties for
15 each of fiscal years 2000 through 2004, the Sec-
16 retary of the Treasury shall pay to each county that
17 is otherwise eligible to receive those payments the
18 special payment amount determined for that county.

19 (2) FISCAL YEARS AFTER FISCAL YEAR 2004.—

20 (A) IN GENERAL.—For each fiscal year
21 after fiscal year 2004, the Secretary of the
22 Treasury shall pay to each county that is other-
23 wise eligible to receive the 50-percent payments
24 to counties, as elected by the county, either—

1 (i) the special payment amount, in
2 lieu of the 50-percent payments to counties
3 otherwise applicable and allocable to that
4 county; or

5 (ii) the share of the 50-percent pay-
6 ments to counties otherwise applicable and
7 allocable to the county.

8 (B) ELECTION.—The election under sub-
9 paragraph (A) shall be made by the chief execu-
10 tive officer of a county only once, for all fiscal
11 years after fiscal year 2004, by not later than
12 5 years after the date of the enactment of this
13 Act. If the chief executive officer of a county
14 fails to make the election by that date, the
15 county is deemed to have elected the payment
16 described in subparagraph (A)(i) for all fiscal
17 years after fiscal year 2004.

18 (b) DEFINITIONS.—As used in this section:

19 (1) 50-PERCENT PAYMENTS TO COUNTIES.—
20 The term “50-percent payments to counties” means
21 the sum of the 50-percent share otherwise paid to a
22 county pursuant to title II of the Act of August 28,
23 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 1181f),
24 and the payments made to counties pursuant to the
25 Act of May 24, 1939 (53 Stat. 753, chapter 144; 43

1 U.S.C. 1181f–1 et seq.), as in effect immediately be-
2 fore the date of the enactment of this section.

3 (2) SPECIAL PAYMENT AMOUNT.—The term
4 “special payment amount” means the amount equal
5 to—

6 (A) 76 percent, multiplied by

7 (B) the amount equal to—

8 (i) the total amount of 50-per-
9 cent payments to counties made to the
10 county for the 3 fiscal years (whether
11 or not consecutive) for which those
12 payments were the highest in the pe-
13 riod beginning October 1, 1985, and
14 ending September 30, 1995, divided
15 by

16 (ii) 3.

17 The amount described in this paragraph shall be ad-
18 justed to reflect changes in the consumer price index
19 for urban areas (as published by the Bureau of
20 Labor Statistics) that occur after publication of that
21 index for fiscal year 2004.

1 **SEC. 4. CONFORMING AMENDMENT.**

2 Title XIII of the Omnibus Budget Reconciliation Act
3 of 1993 (Public Law 103–66) is amended by striking
4 chapter 4 (107 Stat. 681–682).

